

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF POWERTEL/KENTUCKY, INC.,)	
A DELAWARE CORPORATION, FOR ISSUANCE)	
OF A CERTIFICATE OF PUBLIC CONVENIENCE)	
AND NECESSITY TO CONSTRUCT A PERSONAL)	CASE NO.
COMMUNICATIONS SERVICES FACILITY IN)	98-178
BASIC TRADING AREA b-252 WHICH INCLUDES)	
JESSAMINE COUNTY, KENTUCKY (THE L-KY-207)	
FACILITY))	

O R D E R

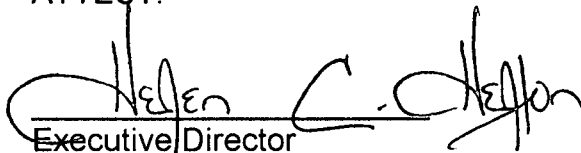
The Commission has received the attached letter regarding the proposed construction of a cellular telecommunications facility to be located at 6161 Ashgrove Road, Nicholasville, Jessamine County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Powertel/Kentucky, Inc. ("Powertel") shall respond to the concerns stated in the attached letter by certified mail, within 10 days from the date of this Order.
2. Powertel shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 11th day of May, 1998.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


For the Commission

Dorton

Marvin E. Clem
Attorney At Law

103 North Hill Street
Mail: P.O. Box 2251
Lexington, Kentucky 40588-2251

Phone (606) 255-1329
Fax (606) 255-1650

April 27, 1998

RECEIVED

APR 28 1998

PUBLIC SERVICE
COMMISSION

Ms. Helen Helton
Executive Director
Public Service Commission of Kentucky
P. O. Box 615
Frankfort, Kentucky 40601-0615

In Re: Powertel/Kentucky, Inc.; Case No. 98-178; The L-KY-057-207 Facility; Our File
Number: 3038MC

Ms. Helton:

Please be advised that this office represents Mr. and Mrs. Harold Clem of 5613 Bates
Creek Road, Nicholasville, Kentucky 40356. Thank you.

Recently Mr. & Mrs. Clem received a certified letter from Honorable Brent Rice of
McBrayer, McGinnis, Leslie & Kirkland, Attorneys at Law, concerning their client's
(Powertel/Kentucky, Inc.) application to erect a 195 foot communications relay tower ("personal
communications service facility") within 500 feet of their property. A copy of that letter is
enclosed herewith for your review.

Mr. & Mrs. Clem are very strongly opposed to this application and to the erection of the
proposed tower anywhere near their property.

They have advised me, and have asked me to advise you, as follows:

- We do not want a 195' monopole located near or above our farm;
- Our Family moved onto this property in the spring of 1941 in order to enjoy the peace,
serenity and beauty of a rural lifestyle and do not want it disturbed by the erection of this
eyesore;
- Historically this neighborhood, with all families in agreement, has never had even one
service/security light pole put up. The "families" include the Harrisons and their heirs, the
Headleys and their heirs, the Pages and their heirs, Dr. & Mrs. Lee shine, E. B. & Anna

Marvin E. Clem, Attorney At Law, 103 North Hill Street, P. O. Box 2251, Lexington, Kentucky 40588-2251

Ms. Helen Helton, PSC
April 27, 1998
Page 2

Harris, Davis Cochran and Harold and Peggy Clem;


- We want to maintain the lifestyle and integrity of plain country living for as long as we can;
- Or greatest country tradition through the years, as our children were growing up, was to simply gather them in at dusk, feed and bathe them and go to sleep as a family in the secure country darkness;
- We are concerned and vehemently opposed to this application.

The Clem's and the other residents do not want the beauty and serenity of the night sky polluted by flashing red aircraft warning lights; they do not want to spend the evenings sitting on their porch staring at an unnatural monolith and they do not want the increased traffic that will necessarily be generated by this new "facility."

Request it hereby made that this application be denied and that this office be made aware of any and all hearings concerning this application.

Thank you.

Sincerely,



Marvin E. Clem
ATTORNEY AT LAW

MECmc
Enclosure
pc: client

McBRAYER, MCGINNIS, LESLIE & KIRKLAND PLLC

163 WEST SHORT STREET

SUITE 300

LEXINGTON, KENTUCKY 40507-1361

606-231-8780

FACSIMILE 606-231-6518

REAL ESTATE FAX 606-255-9777

W. TERRY McBRAYER
JOHN R. MCGINNIS
PHILLIP BRUCE LESLIE *
WILLIAM D. KIRKLAND
J. D. ATKINSON, JR.
JAMES G. AMATO
GEORGE D. GREGORY **
BRENT L. CALDWELL
W. BRENT RICE
JAMES H. FRAZIER, III +
STEPHEN C. CAWOOD
JOHN G. IRVIN, JR.
CHRISTOPHER M. HILL
LISA ENGLISH HINKLE
WILLIAM R. PALMER, JR.
BRUCE W. MACDONALD *
LUKE BENTLEY III
STEPHEN G. AMATO
MARY ESTES HAGGIN
R. STEPHEN MCGINNIS **
JON A. WOODALL
MARIA S. BUCKLES
MARGARET M. YOUNG
JULIE A. COBBLE
MELINDA G. WILSON
MARY ELIZABETH CUTTER
LINDA J. WEST

* ALSO ADMITTED IN OHIO

** ALSO ADMITTED IN COLORADO

+ ALSO ADMITTED IN TEXAS & FLORIDA

+ ALSO ADMITTED IN WEST VIRGINIA

Harold and Peggy Clem

5613 Tates Creek Road

Nicholasville, KY 40356

April 15, 1998

RECEIVED

APR 28 1998

PUBLIC SERVICE
COMMISSION

WATSON CLAY (1908-1985)
OSCAR SAMMONS (1908-1985)

MAIN & HARRISON STREETS
P. O. BOX 347
GREENUP, KENTUCKY 41144-0347
606-473-7303
FACSIMILE 606-473-9003

300 STATE NATIONAL
BANK BUILDING
P. O. BOX 1100
FRANKFORT, KENTUCKY 40602-1100
502-223-1200
FACSIMILE 502-227-7385

DIRECTOR OF GOVERNMENTAL RELATIONS
MIKE HELTON
STATE NATIONAL BANK BUILDING
305 ANN STREET
SUITE 308
FRANKFORT, KENTUCKY 40601-2847
502-875-1176
FACSIMILE 502-226-6234

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RE: Public Notice - Public Service Commission of Kentucky,
Case No. 98-178 (The L-KY-057-207 Facility)

Dear Mr. and Mrs. Clem:

Powertel/Kentucky, Inc. has applied to the Public Service Commission of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a personal communications service facility. The facility will be comprised of a 180' monopole with attached antennas extending upwards for a total height of 195' and an equipment shelter to be located at 6161 Ashgrove Road, Nicholasville, Jessamine County, Kentucky. A map showing the location of the proposed new cell facility is enclosed. This notice is being sent to you because you own property within a 500' radius of the proposed tower.

The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 98-178 in your correspondence.

Sincerely,



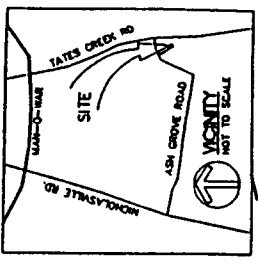
W. Brent Rice

Counsel for Powertel/Kentucky, Inc.

WBR/dkw

SURVEY NOTES

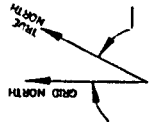
1. THE SURVEY DATA SHOWN HEREON IS BASED ON STATE PLANE AND GRID NORTH. CONVERGENCE TO TRUE NORTH AT THE PROPOSED TOWER CENTER AS SHOWN IS 0° 08' 36" EAST OF GRID NORTH.
2. LATITUDE AND LONGITUDE ARE BASED ON NAD 83.
3. ELEVATIONS ARE BASED ON NAVD 88.
4. A TITLE SEARCH WAS NOT PERFORMED ON THIS PROPERTY. THE SURVEY WAS LIMITED TO FEATURES IN THE VICINITY OF THE ACCESS EASEMENT AND LEASE AREA ONLY.
5. UNDERGROUND UTILITIES MAY EXIST ON THIS SITE WHICH ARE NOT SHOWN ON THESE PLANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ANY UTILITIES THAT THEY MAY HAVE IN THE AREA.
6. THE PROPOSED LEASE AREA FOR THE FACILITY DOES NOT LIE WITHIN ANY FLOOD HAZARD AREA.



ELECTRIC
 BLUE GRADE RECC
 (606) 885-4181
BUILDING ERECT
 JESSAMINE CO/MILWAUKEE JOINT
 PLANNING COMMISSION
 (606) 885-4415

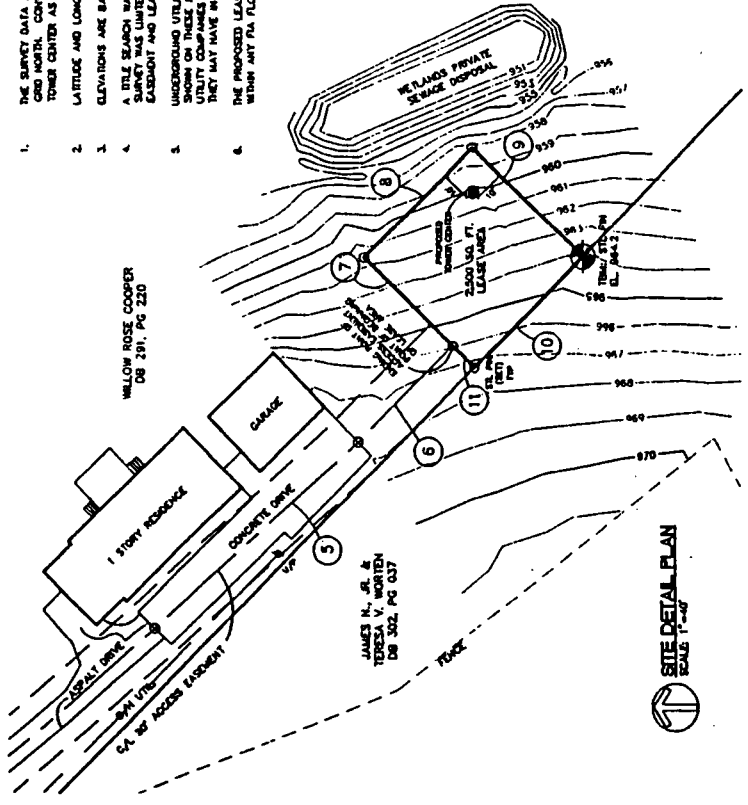
TELEPHONE
 SELL SOUTH
 (502) 878-8844
CONTACT
 WILLOW ROSE COOPER
 (606) 377-5315

WILLOW ROSE COOPER
 DB 291, PG 220



GRID/TRUE NORTH CONVERGENCE

LINE	BEARING	LENGTH
1	N 25°22'56" E	78.00'
2	S 45°41'11" E	18.26'
3	S 47°22'42" E	122.43'
4	S 47°22'42" E	122.43'
5	S 47°22'42" E	122.43'
6	S 47°22'42" E	122.43'
7	S 47°22'42" E	122.43'
8	S 47°22'42" E	122.43'
9	S 47°22'42" E	122.43'
10	S 47°22'42" E	122.43'
11	S 47°22'42" E	122.43'
12	S 47°22'42" E	122.43'
13	S 47°22'42" E	122.43'
14	S 47°22'42" E	122.43'
15	S 47°22'42" E	122.43'
16	S 47°22'42" E	122.43'
17	S 47°22'42" E	122.43'
18	S 47°22'42" E	122.43'
19	S 47°22'42" E	122.43'
20	S 47°22'42" E	122.43'
21	S 47°22'42" E	122.43'
22	S 47°22'42" E	122.43'
23	S 47°22'42" E	122.43'
24	S 47°22'42" E	122.43'
25	S 47°22'42" E	122.43'
26	S 47°22'42" E	122.43'
27	S 47°22'42" E	122.43'
28	S 47°22'42" E	122.43'
29	S 47°22'42" E	122.43'
30	S 47°22'42" E	122.43'
31	S 47°22'42" E	122.43'
32	S 47°22'42" E	122.43'
33	S 47°22'42" E	122.43'
34	S 47°22'42" E	122.43'
35	S 47°22'42" E	122.43'
36	S 47°22'42" E	122.43'
37	S 47°22'42" E	122.43'
38	S 47°22'42" E	122.43'
39	S 47°22'42" E	122.43'
40	S 47°22'42" E	122.43'
41	S 47°22'42" E	122.43'
42	S 47°22'42" E	122.43'
43	S 47°22'42" E	122.43'
44	S 47°22'42" E	122.43'
45	S 47°22'42" E	122.43'
46	S 47°22'42" E	122.43'
47	S 47°22'42" E	122.43'
48	S 47°22'42" E	122.43'
49	S 47°22'42" E	122.43'
50	S 47°22'42" E	122.43'
51	S 47°22'42" E	122.43'
52	S 47°22'42" E	122.43'
53	S 47°22'42" E	122.43'
54	S 47°22'42" E	122.43'
55	S 47°22'42" E	122.43'
56	S 47°22'42" E	122.43'
57	S 47°22'42" E	122.43'
58	S 47°22'42" E	122.43'
59	S 47°22'42" E	122.43'
60	S 47°22'42" E	122.43'
61	S 47°22'42" E	122.43'
62	S 47°22'42" E	122.43'
63	S 47°22'42" E	122.43'
64	S 47°22'42" E	122.43'
65	S 47°22'42" E	122.43'
66	S 47°22'42" E	122.43'
67	S 47°22'42" E	122.43'
68	S 47°22'42" E	122.43'
69	S 47°22'42" E	122.43'
70	S 47°22'42" E	122.43'
71	S 47°22'42" E	122.43'
72	S 47°22'42" E	122.43'
73	S 47°22'42" E	122.43'
74	S 47°22'42" E	122.43'
75	S 47°22'42" E	122.43'
76	S 47°22'42" E	122.43'
77	S 47°22'42" E	122.43'
78	S 47°22'42" E	122.43'
79	S 47°22'42" E	122.43'
80	S 47°22'42" E	122.43'
81	S 47°22'42" E	122.43'
82	S 47°22'42" E	122.43'
83	S 47°22'42" E	122.43'
84	S 47°22'42" E	122.43'
85	S 47°22'42" E	122.43'
86	S 47°22'42" E	122.43'
87	S 47°22'42" E	122.43'
88	S 47°22'42" E	122.43'
89	S 47°22'42" E	122.43'
90	S 47°22'42" E	122.43'
91	S 47°22'42" E	122.43'
92	S 47°22'42" E	122.43'
93	S 47°22'42" E	122.43'
94	S 47°22'42" E	122.43'
95	S 47°22'42" E	122.43'
96	S 47°22'42" E	122.43'
97	S 47°22'42" E	122.43'
98	S 47°22'42" E	122.43'
99	S 47°22'42" E	122.43'
100	S 47°22'42" E	122.43'



SITE DETAIL PLAN
 SCALE: 1"=40'

PROPERTY

WILLOW ROSE COOPER
 GRID BOOK 291, PAGE 220

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE SURVEY AND PLAT WAS PREPARED BY ME, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE INFORMATION SHOWN HEREON IS TRUE AND ACCURATE.

Tim Thompson **Feb 29, 1998**
 DATE

LEGAL DESCRIPTION

ACCESS EASEMENT

"A STRIP OF LAND TWENTY FEET IN WIDTH THE CENTERLINE OF WHICH IS DESCRIBED AS BEGINNING AT THE POINT OF BEGINNING OF THE 2.500 SQUARE FOOT LEASE AREA, CONTAINING WITHIN A LINE THROUGH THE WILLOW ROSE COOPER PROPERTY FOR THE CALLS: (1) N 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), THENCE (2) S 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), THENCE (3) S 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), THENCE (4) N 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), AND THENCE LEAVING (5) N 44° 08' 34" E 40.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.500 SQUARE FEET MORE OR LESS.

LEASE AREA

"BEGINNING AT THE ENDING POINT OF THE ACCESS EASEMENT AS DESCRIBED ABOVE, THENCE CONTAINING WITHIN A LINE THROUGH THE WILLOW ROSE COOPER PROPERTY FOR THE CALLS: (1) N 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), THENCE (2) S 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), THENCE (3) S 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), THENCE (4) N 44° 08' 34" E 40.00 FEET TO STEEL PIN SET (ID 1304), AND THENCE LEAVING (5) N 44° 08' 34" E 40.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.500 SQUARE FEET MORE OR LESS.

TIM THOMPSON
 Civil Engineer
 Land Surveyor
 180 S. Main St., Suite 3
 Nicholsville, KY 40356
 Tel: (606) 877-5353 Fax: (606) 877-5355

FILE: VETERAN-P.DWG
 DATE: FEB. 18, 1998

STATE-KENTUCKY
 TIM THOMPSON
 130-4
 REGISTERED
 LAND SURVEYOR

SHEET
 1
 OF 1

POWERTEL - KENTUCKY MTA
 SITE SURVEY FOR A PROPOSED TRANSMISSION FACILITY

NAME: VETERANS PARK NO: L-KY-057-207A

WILLOW ROSE COOPER
 PROPERTY
 6161 ASH GROVE ROAD
 NICHOLSVILLE, JESSAMINE CO., KY 40356